

February 17, 2021

To: Robert Haefele and associates

From: Martin F. McMahon (MFM)

Re: Deposition of Wael Jelaidan

In light of our concern for prompt dialog and our efforts in trying to facilitate that dialog, we are disclosing information covered by the attorney client privilege. Given these concerns and the affirmance by Judge Daniels, we will accept your and your colleague's representation that this information will be shared only with Magistrate Judge Netburn.

1. Wael came to MFM through Alim.
2. In 12 years of representation, MFM has never spoken to Wael without Alim being part of the conversation.
3. Over those years we have dealt with Aftab, paralegal at the Alim firm. He was responsive and connected enough to get us some answers.
4. When we received the judge's order last week, we reached out to Aftab but, in a new development, he said we had to reach Alim through someone else, Mr. Omer Badawy, who appears to be alim's executive assistant.
5. Richard W. Sandza (RWS) called Badawy on Monday morning. He picked up but said he was driving and asked me to call him back in two hours. When RWS called back in 2 hours no one picked up.
6. On Tuesday morning RWS called Badawy again and spoke to him.
7. He asked us to email him, copying Alim, with the things we wanted to talk about.
8. This is what I sent him:  
Here are the issues and some questions we'd like to discuss by phone at your earliest convenience.
  - a) When will Wael be available for a zoom deposition?
  - b) The Court has ordered that Wael sit without Alim in the room. (We opposed this and appealed the magistrate's adverse decision to the Judge hearing the case. Last week he ruled against us, supporting Plaintiffs position that only those approved by Plaintiffs can be present for the deposition. We don't understand why Plaintiffs' object to Mr. Alim's presence at the deposition, but we are bound by the Court order.)
  - c) Will Wael sit for the deposition without Mr. Alim in the room?
  - d) Is there some accommodation we can consider to comply with the court order and have Wael comfortable to sit for the deposition?
  - e) If Mr. Alim must be in the room, can he just monitor and not get involved--stay silent?
  - f) Please keep in mind that the Plaintiff's will ask the court to hold Weal in contempt if he does not sit for the deposition.
9. Badawy promised to call RWS and MFM on Wednesday morning. He did not. RWS emailed him and called him but he didn't pick up.

**From here:**

At some point perhaps we should speak to the Judge in a joint conversation and explain the difficulties we have encountered.

Do you want us to suggest alternatives to the Saudi's?